Freedom of the press is essential to a vibrant, liberal democracy. In Hungary and Poland, where democratic backsliding is prevalent, government power over the media is one of the many reasons these countries are “illiberal” democracies. Since 2010, these governments have increasingly controlled the press. The governments of Poland and Hungary both engage in media capture by selectively distributing state advertising and packing media boards, although Hungary implemented stricter government controls on media during the Coronavirus pandemic than Poland. The Hungarian government leverages its control over private media while the Polish government focuses on consolidating state media. Both these methods hinder freedom of the press, and state capture of the media in these nations has grave implications for the fate of their democracies.

To begin, it is vital to understand the troubled histories of the media in these nations and the danger of media capture. Media capture is when political parties control the press to have power over information, change public opinion, and gain votes.\(^1\) Since the time of communism in Hungary, the media landscape has been troubled, most recently by international ownership and government attacks on media. Under communism, there was a lack of free media, but when the communist power crumbled in the late 1980s, media freedom increased. Some Hungarian journalists and media analysts view the late 1980s and early 1990s as a “golden age of media freedom.”\(^2\) Hungary embraced liberal media reforms and a lax approach to media privatization, which led to a great deal of foreign ownership of the press.\(^3\) In 1993, the government commenced a “media war” by establishing a new public service television channel and taking control of “Hungarian Radio” and “Hungarian Television” and purging their staff to replace them with pro-government management and workers.\(^4\) From 1994 to 1998, under Gyula Horn, the government reversed its course on media by increasing media freedom and through collaboration “with parliamentary parties as well as professional and civic organizations.”\(^5\) However, these changes would be reversed with a “second media war” under Viktor Orbán’s first government beginning in 1998.\(^6\) Fidesz, Orbán’s party, sought to use state funding to build right-wing media during its first government.\(^7\) Between governments, Fidesz built a “loyal media empire” by continuing to place members in important me-
dia positions, creating its own news television and radio, and increasing its network within media and business.\textsuperscript{8} Orbán's second government began in 2010, and it quickly altered the media landscape.

Poland has experienced both restrictions on the press and a push for freedom since the period of communism. During the communist era, the Polish government censored media, though there were a number of intellectual movements, protests for freedom, and, over time, a level of civil liberties not seen in other communist countries.\textsuperscript{9} With the transition away from communism, constraints on the press were lifted.\textsuperscript{10} The government led privatization of the press, which allowed for early party capture of the media, as seen in instances like when the government sold 104 of the 178 formerly state-owned newspapers to political organizations.\textsuperscript{11} The government also restricted the amount of foreign ownership of media.\textsuperscript{12} Despite these setbacks, immediately after the transition came an “explosion of publications” before readership declined a few years later.\textsuperscript{13} Throughout the 1990s and 2000s, there were varying periods of both media growth and setback as the government sought to control the press, and Poland’s media freedom score, according to Freedom House, increased in the 1990s before falling in the next decade.\textsuperscript{14} In particular, the governments of both Miller-Belka and Marcinkiewicz-Kaczyński made use of media capture, with the latter being more intense in its efforts.\textsuperscript{15} In 2010, Poland was on the brink of an increasingly controlled media environment.

Turning to current approaches of media backsliding, one method used by Polish and Hungarian governments is selectively distributing state advertising to fund media outlets that support the parties in power. Hungary's Fidesz party uses this method extensively. Hungary uses state advertisers who favor companies loyal to the government, which hurts independent companies.\textsuperscript{16} In 2011, sixteen state institutions, ranging from the Prime Minister's Office to the atomic energy station in the city of Paks, advertised on the commercial radio station Class FM. The station’s rival Neo FM, associated with the Hungarian Socialist Party, did not receive such treatment.\textsuperscript{17} Additionally, the state-owned National Lottery Company spent over 10 million euros in 2011 on advertisements in the pro-Fidesz newspaper Magyar Nemzet and stopped advertising altogether in the left-leaning newspaper Népszava.\textsuperscript{18} In a stark example of selective advertising, journalists from one right-wing paper organized a pro-government rally in 2012, and the next day, National Lottery Company advertisements appeared in the paper.\textsuperscript{19} This situation is only getting worse. A 2021 memorandum by the Council of Europe Commissioner for Human Rights cited recent research demonstrating that the government is increasingly channeling state advertising to pro-government media. In 2020, the government gave 86% of state advertising to pro-government outlets.\textsuperscript{20}

In Poland, the Law and Justice party, known as PiS, is the ruling party that employs state advertising to support pro-party media. Since the PiS gained power, the government has stopped advertisement purchases and subscriptions by all major public companies to outlets that do not support the party.\textsuperscript{21} “Polish Television,” a channel watched by 50 percent of Poles according to a study conducted in 2009, is owned by the State Treasury and relies on government funding.\textsuperscript{22} As of 2021, the PiS continues to attack the press by withdrawing public sector advertising and subscriptions from independent media and funneling public money into state television and radio.\textsuperscript{23} Government ministries and agencies increased spending on advertising by 40% from 2020 to 2021.\textsuperscript{24} Almost half of state-owned companies' spending went to pro-government magazines, whereas magazines with more viewers but more critical stances on the government received less or no money from the state through advertising in 2021.\textsuperscript{25} The PiS uses state advertising so much that in 2021 the prime minister’s chancellery was the second biggest advertiser in the public sector.\textsuperscript{26} A senior representative for
the League of Polish Families highlighted this phenomenon by saying, “Polish Television is surrounded by a network of companies, which earn big money on production using the money of Polish Television... It is a big enough business, and by observing it from within I have the impression that these networks are primary to the parties...”27 Using advertising as a means of funding pro-party media enables the Polish government to damage competition and create an uneven media landscape that favors organizations that support it. The practice contributes to the illiberal democracy within the country, as it limits the sources voters might see by weakening media critical of the party.

A second key method governments use is employing and appointing party supporters to state press boards and staff. This quickly creates media biased toward the party in power. In Hungary, this is another prevalent method of media capture, exemplified in the country’s Media Council. Since Orbán’s second government took power in 2010, state news outlets hired Fidesz supporters and appointed pro-Fidesz individuals to supervisor positions.28 In 2010, Parliament passed legislation that created the National Media and Telecommunications Authority and the Media Council to control the press.29 All the appointees for the Media Council were nominated by Fidesz—the chair was a former Fidesz MP, and both the members and the chair had nine-year terms.30 The Media Council oversees all of Hungary’s public service outlets and has power over the funding of state media.31

In order to align with Council of Europe recommendations, in 2013 the Hungarian government passed a law that the president must approve the prime minister’s nominations for the chair of the Media Council, but the law has not created much change nor has it deeply protected the press.32 Instead, the main supervisory body over Hungarian public media is controlled by party members. In a recent example of the dangers of this phenomenon, the European Commission referred Hungary in July 2022 to the European Union’s Court of Justice for refusing to allow an opposition radio station, Klubradio, to operate. The Media Council blocked Klubradio’s application for renewal of its radio frequency, and the European Commission found this violated EU law and sent Hungary to court after a year of unsuccessful negotiations.33 Thus, with party members at the helm, the Media Council gives a great amount of control over the press to the government.

The PiS in Poland also packs media boards and staff to achieve its own means. The state-owned Polish TV, called TVP, is one case study of the increasing bias of state-owned and controlled media. In the late 2010s, the new chairman for TVP was a former MP for the PiS, and he replaced a large number of TVP’s staff. TVP launched smear campaigns against opposition parties and civil society organizations, and the corporation devoted 66 to 79 percent of its political broadcasts to those who support the government.34 Using similar ideas, the PiS used its majority in parliament to replace the boards of public companies and fill vacancies with loyalists.35 Management positions for the Polish Television and Polish Radio outlets are generally motivated by politics and party loyalty.36 In 2015, the PiS pushed a law through Parliament that fired the board members and the management of national television and radio shows to replace them with direct appointment by the treasury minister. In protest, many leaders of the press resigned before the law could go into effect.37 The Polish Constitutional Tribunal declared the law unconstitutional, but once the law expired in 2016, the PiS legislated a new law that created a National Media Council similar to Hungary’s. The National Media Council appoints the management and supervisory boards of the public media, and the majority of the members are pro-PiS.38 The Council’s 2017 statement on its first year of work mentions the importance of “public media owned by the nation” and how “the only purpose of public broadcasters is to provide all of society with real information... through a carefully selected programme.”39 These are worrisome changes for the state of liberal democracy and
freedom of the press in Poland. One scholar describes the situation as PiS having “turned the state owned media into a mouthpiece of the government to a degree not seen since party-state rule.”

When the government appoints party loyalists to advisory boards in this way, it damages the press.

Fidesz enacted new laws during the Coronavirus pandemic that restricted media freedom to a degree not yet seen in Poland. This third method of state captured media is devastatingly powerful in Hungary. In March 2020, the Hungarian government decreed a state of danger and passed several decrees and laws to alter the media landscape. Hungary’s “Coronavirus Law” gave Orbán power to rule by decree and impose further limits on media freedom in the country. Poland has not gone as far.

Another major alteration to Hungarian media law during COVID-19 was an amendment to the Criminal Code that widened the scope of the crime of “Scaremongering” to include the “impediment of defence against pandemic situation.” With this addition, the Hungarian government limits freedom of speech under the guise of targeting “fake news” sites. The alteration was unnecessary from the standpoint of actual public safety. One scholar found the code’s previous statutes were sufficient to limit media that would harm government efforts to protect citizens during a pandemic. Police and the government employed pre-existing statutes to shut down sites spreading false information about the pandemic. The government investigated such sites’ creators in the early stages of the pandemic, citing public endangerment, not “scaremongering.” In practice, the new amendment has scared journalists from reporting on sensitive aspects of the pandemic, especially given that merely being accused leads to lengthy legal proceedings. In April 2020, the Operational Staff revealed there had been 78 proceedings for “scaremongering,” though there is no public information about cases against professional journalists and media outlets. Instead, most of the law is being applied to social media users not affiliated with media organizations. The police detained a sixty-four-year-old man to question him about a Facebook post he had made that criticized the government and labeled Orbán as a dictator. Yet, the post contained no false information. The prosecutor dropped the case, but the law has created a dangerous environment for free speech. The vagueness of some of these laws has also limited investigative journalists who fear straying too close to criminal activities. Given that emergency measures launched due to the 2016 migration crisis are still in place, scholars worry about the lasting power of the changes that were intended to be temporary.

Now, the Hungarian government uses the excuse of helping its country during the pandemic to enact changes that harm citizens’ freedom of speech and a free press.

Likewise, Poland has made changes to its media laws, but they have not been as far-reaching nor as damaging as in Hungary. In 2021, the Polish government made a series of moves to limit freedom of the press, such as a proposed “pandemic tax” on media advertising revenue and a bill targeting foreign owners of media outlets. Another major development was the purchase of Polska Press, one of the largest newspapers, and Ruch, a major press distributor, by PKN Orlen, a state-owned petrol company led by PiS party members. However, these changes were met with resistance. The office of the Polish Human Rights Ombudsman argued for freedom of the
press and challenged the purchase of Polska Press, but a Polish court rejected the office’s effort in June of 2022. Although their advocacy for media freedom failed, it was an important step toward limiting attacks on the press. Additionally, many scholars saw the bill limiting foreign ownership of media as an attack on TVN24, a US-owned media channel and Poland’s largest private broadcaster, given that it was the only major broadcaster set to be impacted by the bill. The Polish parliament passed the bill, but widespread protests and backlash caused President Andrzej Duda to veto the law. In the same vein, after the national broadcasting council delayed renewing the license of TVN24 for over a year and a half, a Warsaw court found this move to violate the law and fined the national broadcasting council. Thus, while Hungary has increased the power of the ruling party and extensively damaged media freedom, government limitations on the media in Poland have not been as severe and have even failed.

A second way Poland and Hungary diverge in their methods of media capture is because Hungary’s media control is deeply tied to private, pro-Fidesz conglomerates whereas Poland employs nationalized consolidation to take power in the press. In November 2018, pro-Fidesz media owners transferred the rights of their media holdings to KESMA, the “Central and Eastern European Media Foundation,” a Hungarian media conglomerate. KESMA has a board comprised of Fidesz MPs, and 476 media brands merged into KESMA, signifying a major control of the media by the government through private avenues. Wealthy Fidesz-allied business owners buy up financially weakened press organizations and turn them into pro-government media. As seen in the example of TV2, a broadcaster sold by its foreign owners to a Fidesz-allied businessman to become a “government mouthpiece.” KESMA is an enormous way that the Hungarian government exercises great power over the media without officially taking control.

In contrast, the Polish government focuses on capturing media through public means. This difference is due in part to the country’s economic transition away from communism, which saw less oligarchical control over key industries and thus gave the PiS less wealthy business allies. A lack of investors to purchase media caused the failure of private oligarchical control of the press, so the PiS turned to public methods of capturing media. Poland’s unique technique of media capture occurs when it nationalizes private media through a state-owned company. The PKN Orlen purchase of Polska Press, which was previously German-owned, is an example of this method, giving PiS power over the media company and twenty of Poland’s twenty-four regional newspapers. Since the sale, PKN Orlen has pursued the acquisition of other media. Not long after acquiring Polska Press, PKN Orlen altered the company’s management board, purged chief editors, dismissed journalists who had published articles unfavorable to the government, and introduced structures to stop the publication of content criticizing the government or casting it in a negative light. In this way, government control of the press through public means has had detrimental effects, though both PiS and Fidesz maintain power over media through their differing methods.

Poland and Hungary are countries with historically long struggles for the freedom of the press. After transitions away from the restrictions of communism, both countries could have forged new, liberal democracies complete with free media. Instead, the past thirty years have been fraught with protests, international backlash, and ever-encroaching government power over the media. Both Hungarian and Polish governments have participated in media capture by allocating state funds to pro-government outlets and packing boards with government supporters, which are very powerful ways of taking control. In a recent development, Hungary has been much stricter in its COVID-19 controls of media than Poland. Since 2010, a pattern has arisen in which Hungary con-
solidates and controls media using private companies whereas Poland does the same with public organizations. These key developments contribute to media backsliding. The future of the media landscape in Poland and Hungary appears dire. However, as long as a small number of citizens stand against illiberal democracy and work towards a free press, there is hope for a better future.

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(Right) Haedong Yonggung Temple in Busan, South Korea.
Photo by Stuti Shah, Senior Business Administration and Public Policy Major.
(Above) Taken while on a trip to southwestern Germany, August 2021. Rooftops of Heidelberg, DE, as seen from the overlook at the castle ruins on the hill above the town. Photo by Brenner Cobb, First-Year Peace, War, and Defense and Contemporary European Studies Major, Minor in German.

(Right) Taken July 1, 2019 in Ha Long Bay Vietnam. The picture depicts the beginnings of a boat and fishing community. Many families live on the boats and travel to the land to sell products from their fishery. It is an area rich in culture, but faces poverty in such an environment, especially as climate change leads to an increase in environmental storms that threaten their lifestyle. Photo by Emma Thomas, Sophomore Global Studies Major.